to said second end of said cooling heat exchanger, said blown air passing through said cooling heat exchanger upwardly from said space;

a heating heat exchanger for heating said blown air from said cooling heat exchanger, said heating heat exchanger being disposed generally horizontal at an upper side said cooling heat exchanger;

a drain pipe through which condensed water generated by said cooling heat exchanger is discharged outside of said case, said drain pipe being disposed at said second side of said case opposite to said blower unit adjacent said second end of said cooling heat exchanger.

REMARKS

Claims 2, 5, 6, 9-11 remain pending in the present application. Claims 1, 3, 4, 7 and 8 have been cancelled. Claims 2, 5, 6 and 9 have been amended to depend from independent Claim 9. Reconsideration of the rejection is respectfully requested.

REJECTION UNDER 35 U.S.C. § 102

Claims 1, 2, 3, 6, 7 and 8 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by JP 6-156049. Claims 1, 3, 7 and 8 have been cancelled. Claims 2 and 6 have been amended to depend from independent Claim 9. Reconsideration of the rejection is respectfully requested.

REJECTION UNDER 35 U.S.C. § 103

Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over JP 6-156049 as applied to Claims 608 are above, and further in view of DT 3501451 or Nagoa et al. (4,696,340). Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over the prior art as applied to Claims 108 above, and further in view of Brandecker or Gebhardt or Mullin or Bates or Marsteller. Claims 1, 3, 7 and 8 have been cancelled. Claims 2, 5, and 6 have been amended to depend from independent Claim 9. Reconsideration of the rejection is respectfully requested.

In amended claim 9 of the present invention, the cooling heat exchanger is disposed within the case to form the space under the cooling heat exchanger in such a manner that air from the blower unit is introduced into the space approximately horizontally and passes through the cooling heat exchanger from below upwardly in the vehicle air conditioner where the air conditioning unit is disposed generally at the center of the instrument panel and the blower unit is offset from the center of the instrument panel in the vehicle width direction. In addition, the heating heat exchanger is disposed approximately horizontally at an upper side of the cooling heat exchanger. Accordingly, in the amended claim 9 of the present invention, first, the vehicle air conditioner is a specific offset type as described above. Secondly, in the specific offset type, air is introduced from the blower unit into the space approximately horizontally, and the horizontally introduced air passes through the cooling heat exchanger and the heating heat exchanger upwardly.

In JP-A-6-156049, the blower (18) is disposed under the cooling heat exchanger (28). Therefore, it is impossible to form the space defined in amended claim 9 of the present invention and the air blown by the blower unit is not blown generally horizontally. Further, the blower (18) and the cooling heat exchanger are positioned at the same position in the vehicle width direction.

In JP-U-56-149819, the blower (6) is disposed under the cooling heat exchanger (3), so air blown by the blower (6) is not approximately horizontally introduced into the space under the cooling heat exchanger (3).

In Netherlands 166433, the center mounting is indicated. However, the blower is not offset in the vehicle width direction. Further, the arrangement relationship between the blower and the cooling heat exchanger is completely different from that defined in the present invention.

The Examiner is rejecting the present claims by combining the three documents described above. However, each of documents has a specific structure for obtaining a specific objective. Accordingly, the rejection by using the of these documents is improper because they are each directed to different specific problems. For example, in JP-A-6-156049, for reducing a mounting area of the vehicle air conditioner in the vehicle, the blower, the cooling heat exchanger, the heating heat exchanger are arranged vertically. Therefore, in this case, it is impossible to use the air conditioner for the specific offset type where the blower is offset in the vehicle width direction from the air conditioning unit mounted on the center of the instrument panel in the vehicle width direction.

None of the documents teach the arrangement structure in the specific offset-type vehicle air conditioner, defined in amended Claim 9 of the present invention.

Thus, Applicant believes Claim 9, as amended, patentably distinguishes over the art of record. Likewise, Claims 2, 5, and 6 which ultimately depend from Claim 9 are also believed to patentably distinguish over the art of record. Reconsideration of the rejection is respectfully requested.

DOUBLE PATENTING

Claims 1-9 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1-7 of U.S. Patent No. 5,755,107 in view of the prior art applied to Claims 1-9 above. Enclosed is a Terminal Disclaimer to overcome the rejection. Reconsideration of the rejection is requested.

Claims 1-9 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1-16 of U.S. Patent No. 6,044,656 in view of the prior art applied to Claims 1-9 above. Enclosed is a Terminal Disclaimer to overcome the rejection.